

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARK JACK BANICEVIC,

Defendant.

CASE NO. CR05-0138C

ORDER

This matter has come before the Court on Defendant Banicevic's motion for a continuance of the trial date (Dkt. No. 31) and his motion for an extension of time in which to file pre-trial motions (Dkt. No. 33). Having considered the papers filed by the parties, the records and files herein, and the motions for continuance of pretrial motions date and the trial date, the Court hereby makes the following findings:

1. The Court finds that a failure to grant the continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(8)(B)(ii).
2. The Court further finds that the ends of justice will be served by ordering a continuance in this case, that a continuance is necessary to insure effective trial preparation and that these factors outweigh the best interests of the public in a more speedy trial, within the meaning

1 of 18 U.S.C. § 3161(h)(8)(A).

2 It is therefore ORDERED that the time within which pretrial motions must be filed in this case be
3 extended to July 7, 2005, and that the trial date be continued from June 6, 2005, to August 1, 2005. It is
4 further ORDERED that the period of time from the current trial date of June 6, 2005 up to and including
5 the new trial date of August 1, 2005, shall be excludable time pursuant to the Speedy Trial Act, 18
6 U.S.C. § 3161 *et seq.*

7 Defendant Banicevic is directed to file a speedy trial waiver by June 1, 2005.

8 SO ORDERED this 24th day of May, 2005.

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11 UNITED STATES DISTRICT JUDGE
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